

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

THIS DOCUMENT RELATES TO:

TRACK THREE

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

MOTION TO PRECLUDE TESTIMONY FROM NICOLE MCCALLION

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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IN RE: NATIONAL PRESCRIPTION MDL No. 2804  
OPIATE LITIGATION

Case No. 17-md-2804  
Judge Dan Aaron

This Document Relates To: Polster

The County of Lake, Ohio v.  
Purdue Pharma L.P., et al.  
Case No. 18-op-45032

The County of Trumbull, Ohio v.  
Purdue Pharma L.P., et al.,  
Case No. 18-op-45079

Track 3 Cases

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Remote videotaped deposition of
NICOLE R. McCALLION

January 26, 2021
10:03 a.m.

Renee L. Pellegrino, RPR, CLR
(Appearing Remotely)

1 mothers had used tobacco while pregnant?

2 A. To my knowledge, I don't know.

3 Q. Have you cared for children whose
4 mothers had abused alcohol while they were
5 pregnant?

6 A. To my knowledge, no.

7 Q. To your knowledge, have you ever
8 cared for a child whose parents had abused
9 prescription opioids?

10 A. To my knowledge, no.

11 Q. To your knowledge, have you ever
12 cared for a child whose parent had taken
13 prescription opioids while pregnant?

14 A. To my knowledge, no.

15 Q. What substances of abuse are you
16 aware, from your experience as a foster parent,
17 have been abused by parents of foster children?

18 A. Of foster children in my home?

19 Q. We'll start with in your home, yes.

20 A. Heroin, and then the one instance
21 of meth exposure during pregnancy.

22 Q. Outside of your home, are you aware
23 of foster children who have been placed into the
24 care of a foster family because their parent
25 abused a drug?

1 A. Yes.

2 Q. What drugs of abuse are you aware of
3 for those foster children?

4 A. Meth and heroin.

5 Q. Are you personally aware of any
6 child being placed with a foster family in Lake
7 County because a parent abused prescription
8 opioids?

9 A. I don't have any to my knowledge.

10 Q. In your experience, why does a child
11 generally need foster care in Lake County?

12 A. In general, children need foster
13 care in Lake County when there have been
14 credible instances of abuse or neglect.

15 Q. Who makes the determination whether
16 a child needs to be placed into foster care in
17 Lake County?

18 A. Lake County Job and Family Services
19 and the juvenile court.

20 Q. Have you ever been asked to provide
21 a statement in connection with a juvenile court
22 proceeding for foster care?

23 A. I have not.

24 Q. Are you aware of children being
25 placed into foster care in Lake County for

1 but I've taken them at different locations.
2 I've taken them at Summit, Geauga and Lake
3 County. And I think we may have taken one in
4 Ashtabula. I can't remember.

5 Q. Do you recall who hosted those
6 trainings?

7 A. Do you mean who the trainers were
8 or who put it on?

9 Q. Who put it on.

10 A. The Ohio Child Welfare Program.

11 Q. For each of the trainings that you
12 recall attending, do you know who paid for those
13 trainings?

14 A. I'm not sure.

15 Q. Did you pay for any of the trainings
16 you've taken in relation to foster care?

17 A. No, I did not pay for those.

18 Q. Have you attended any trainings
19 related to prescription opioids for your foster
20 care responsibilities?

21 A. I don't believe I have.

22 Q. Do you recall attending any
23 trainings where prescription opioids were
24 discussed?

25 A. I don't think so.

1 A. I mean any level of addiction
2 related to opioids.

3 Q. Are you including prescription
4 opioids in that?

5 A. If they are addicted to
6 prescriptions, then yes.

7 Q. When you say "if they are addicted,"
8 what do you mean by that?

9 A. If they are unable to refrain from
10 using them, I would consider that an addiction
11 or at least high risk for addiction.

12 Q. Do you know whether there are
13 children in foster care in Lake County who are
14 impacted by prescription opioid abuse?

15 A. I am not personally aware of any,
16 no.

17 Q. To your knowledge, the substances of
18 abuse most at issue in Lake County for foster
19 care are heroin, meth and alcohol; is that
20 correct?

21 A. That's correct.

22 Q. Any others?

23 A. Those are the biggest ones in my
24 experience.

25 Q. Do you have any idea of how much

1 families related to substance abuse issues in
2 Lake County?

3 A. I don't think as it pertains to
4 substance abuse, no. It was just kind of a
5 general increased need for foster homes to take
6 siblings.

7 Q. How did you learn about the general
8 increased need?

9 A. My husband and I have a very narrow
10 role as far as what kind of kids we can take.
11 We can just take one or two at a time. And
12 their ages are very limited because we do have
13 five other kids in our house. And so we have
14 long periods of time where we don't have a
15 foster child in our house, and when it comes up
16 with a social worker that we're open, they
17 would say something like if only you could take
18 these sibling groups, we have a really big need
19 for these homes to take two and three kids at a
20 time.

21 Q. Have you ever heard of an increased
22 need for foster families due to prescription
23 opioid abuse?

24 A. Not to my knowledge, no.

25 Q. Do you know, sitting here today, the

1 participated in the drug treatment court?

2 A. I am not sure if they participated
3 in the drug treatment court.

4 Q. Can you trace any harm suffered by
5 any child in foster care in Lake County to the
6 filling of an opioid prescription by a pharmacy
7 defendant in this case?

8 A. I'm unable to do that.

9 Q. Are you aware of any documents that
10 would trace the harm suffered by a child in
11 foster care in Lake County to the filling of an
12 opioid prescription by a pharmacy defendant?

13 A. I am not aware of any, no.

14 Q. Can you trace any harm suffered by a
15 child in foster care in Lake County today to
16 prescription opioids?

17 A. I'm not aware of any.

18 Q. Can you trace any harm currently
19 being suffered by a child in foster care in Lake
20 County to illicit opioids?

21 A. Yes.

22 Q. What illicit opioids can you trace
23 harm back to a foster child?

24 A. Which opioids did you say?

25 Q. Yes, which.

1 A. Heroin.

2 Q. Are there any other drugs that you
3 believe caused harm to children in foster care
4 in Lake County?

5 A. Heroin is the only one I'm
6 personally aware of.

7 Q. Are you aware of any wrongful
8 actions, any harm caused by a Defendant in this
9 case in Lake County related to opioids?

10 A. I am not aware of any.

11 Q. Have you heard the term "pill mill"?

12 A. I have.

13 Q. What's your understanding of what a
14 pill mill is?

15 A. My understanding is that it's a --
16 a doctor's office or medical location that is
17 overly prescribing prescription medication.

18 Q. Are you aware of any pill mills that
19 are active in Lake County?

20 A. I am not aware of any.

21 Q. Are you aware of any pill mills that
22 have ever been active in Lake County?

23 A. I don't think I'm aware of any.

24 Q. Are you aware of any Lake County
25 residents who have obtained prescription opioids